

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/~~Ord~~ No.: 19271

Sponsor(s): Tony Miller

Date: September 26, 2016

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|--|---|---|-----------|--|----|--|-----------|--|----|---|--|--------------|--|---------------------------------------|--|--|----------|---|----------|--|----------|--|----------|------------|--|---------------------------------------|--|---------------------------------|----------|---------------------------------|----------|---------------------------------|----------|---------------------------------|----------|---------------------|----------|---------------------|--------|---------------------|----------|---------------------|-------|------------------------|----------|------------------------|----------|------------------------|----------|------------------------|--------|
| SUBJECT | <p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>A resolution authorizing the County Executive and the Jackson County Attorney to execute an amendment to the Collective Bargaining Agreement with the Local Union No. 42 of the International Association of Fire Fighters regarding the terms and conditions of employment of members of its bargaining unit within the Office of the Prosecuting Attorney.</u></p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p> | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Amount authorized by this legislation this fiscal year:</td> <td style="text-align: right;">\$195,703</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td style="text-align: right;">\$195,703</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td style="text-align: right;">\$</td> </tr> <tr> <td colspan="2">Source of funding (name of fund) and account code number;</td> </tr> <tr> <td colspan="2">FROM:</td> </tr> <tr> <td colspan="2">Anti-Drug Sales Tax Fund (008)</td> </tr> <tr> <td>008-4152-56080 Other Professional Services</td> <td style="text-align: right;">\$45,000</td> </tr> <tr> <td>008-4154-56790 Other Contractual Services</td> <td style="text-align: right;">\$43,810</td> </tr> <tr> <td>008-4154-56080 Other Professional Services</td> <td style="text-align: right;">\$14,648</td> </tr> <tr> <td>008-4156-56080 Other Professional Services</td> <td style="text-align: right;">\$92,245</td> </tr> <tr> <td colspan="2">TO:</td> </tr> <tr> <td colspan="2">Anti-Drug Sales Tax Fund (008)</td> </tr> <tr> <td>008-4102-55010 Regular Salaries</td> <td style="text-align: right;">\$74,519</td> </tr> <tr> <td>008-4108-55010 Regular Salaries</td> <td style="text-align: right;">\$12,002</td> </tr> <tr> <td>008-4152-55010 Regular Salaries</td> <td style="text-align: right;">\$72,765</td> </tr> <tr> <td>008-4156-55010 Regular Salaries</td> <td style="text-align: right;">\$ 1,060</td> </tr> <tr> <td>008-4102-55040 FICA</td> <td style="text-align: right;">\$ 5,701</td> </tr> <tr> <td>008-4108-55040 FICA</td> <td style="text-align: right;">\$ 918</td> </tr> <tr> <td>008-4152-55040 FICA</td> <td style="text-align: right;">\$ 5,567</td> </tr> <tr> <td>008-4156-55040 FICA</td> <td style="text-align: right;">\$ 81</td> </tr> <tr> <td>008-4102-55050 Pension</td> <td style="text-align: right;">\$10,731</td> </tr> <tr> <td>008-4108-55050 Pension</td> <td style="text-align: right;">\$ 1,728</td> </tr> <tr> <td>008-4152-55050 Pension</td> <td style="text-align: right;">\$10,478</td> </tr> <tr> <td>008-4156-55050 Pension</td> <td style="text-align: right;">\$ 153</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required)</p> <p><input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: \$ _____</p> <p>Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____</p> | Amount authorized by this legislation this fiscal year: | \$195,703 | Amount previously authorized this fiscal year: | \$ | Total amount authorized after this legislative action: | \$195,703 | Amount budgeted for this item * (including transfers): | \$ | Source of funding (name of fund) and account code number; | | FROM: | | Anti-Drug Sales Tax Fund (008) | | 008-4152-56080 Other Professional Services | \$45,000 | 008-4154-56790 Other Contractual Services | \$43,810 | 008-4154-56080 Other Professional Services | \$14,648 | 008-4156-56080 Other Professional Services | \$92,245 | TO: | | Anti-Drug Sales Tax Fund (008) | | 008-4102-55010 Regular Salaries | \$74,519 | 008-4108-55010 Regular Salaries | \$12,002 | 008-4152-55010 Regular Salaries | \$72,765 | 008-4156-55010 Regular Salaries | \$ 1,060 | 008-4102-55040 FICA | \$ 5,701 | 008-4108-55040 FICA | \$ 918 | 008-4152-55040 FICA | \$ 5,567 | 008-4156-55040 FICA | \$ 81 | 008-4102-55050 Pension | \$10,731 | 008-4108-55050 Pension | \$ 1,728 | 008-4152-55050 Pension | \$10,478 | 008-4156-55050 Pension | \$ 153 |
| Amount authorized by this legislation this fiscal year: | \$195,703 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount previously authorized this fiscal year: | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total amount authorized after this legislative action: | \$195,703 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount budgeted for this item * (including transfers): | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Source of funding (name of fund) and account code number; | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| FROM: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Anti-Drug Sales Tax Fund (008) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 008-4152-56080 Other Professional Services | \$45,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 008-4154-56790 Other Contractual Services | \$43,810 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 008-4154-56080 Other Professional Services | \$14,648 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 008-4156-56080 Other Professional Services | \$92,245 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TO: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Anti-Drug Sales Tax Fund (008) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 008-4102-55010 Regular Salaries | \$74,519 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 008-4108-55010 Regular Salaries | \$12,002 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 008-4152-55010 Regular Salaries | \$72,765 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 008-4156-55010 Regular Salaries | \$ 1,060 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 008-4102-55040 FICA | \$ 5,701 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 008-4108-55040 FICA | \$ 918 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 008-4152-55040 FICA | \$ 5,567 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 008-4156-55040 FICA | \$ 81 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 008-4102-55050 Pension | \$10,731 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 008-4108-55050 Pension | \$ 1,728 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 008-4152-55050 Pension | \$10,478 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 008-4156-55050 Pension | \$ 153 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| PRIOR LEGISLATION | Prior ordinances and (date): Prior resolutions and (date): 19086 | |
| CONTACT INFORMATION | RLA drafted by (name, title, & phone): Gina Robinson, Chief of Operations, 881-3369 | |
| REQUEST SUMMARY | <p>This resolution requests an amendment to the Collective Bargaining Agreement with Local 42. Parties of the Letter of Understanding mutually agree to establishing new pays (minimum and maximum) ranges for all positions covered by the Collective Bargaining Agreement (i.e. APA, APAl, II, and III, and Trial Team Leader classifications), one-time compression adjustments for certain employees to become effective October 2016, creation of an APAIV classification, and modification to the language under Article XVIII (Annual Compensation) Section 2 (D and E). One time compression adjustments for certain employees are reflected on Appendix One.</p> <p>This amendment is in an effort to reduce turnover, attract and retain qualified applicants, and for the limited purpose of addressing the pay revisions required by the Department of Labor. Additionally, this assists in creating internal promotional opportunities and becoming more competitive with the surrounding market.</p> | |
| CLEARANCE | <input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office) | |
| ATTACHMENTS | | |
| REVIEW | Department Director: <i>Juan Peterso Baker</i> Finance (Budget Approval): <i>[Signature]</i> <i>If applicable</i> Division Manager: <i>[Signature]</i> County Counselor's Office: | Date: <i>9/23/16</i> Date: <i>9/26/16</i> Date: Date: |

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

| Account Number: | Account Title: | Amount Not to Exceed: |
|-----------------|----------------|-----------------------|
| | | |

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

JACKSON COUNTY JOB DESCRIPTION

TITLE: Assistant Prosecuting Attorney IV PAY LEVEL: G99 CODE: 4101-06914-001
 WORKING TITLE: Assistant Prosecuting Attorney III FLSA: EX DATE: _____
 DIVISION: Prosecutor DEPARTMENT: Prosecutor
 BARGAINING UNIT POSITION: Yes CIRCUMSTANCE: New Position
 LOCATION: Kansas City & Independence Courthouse ANALYST: Michelle Chrisman
 SUPERVISES: N/A

PERCENTAGE OF TIME

ACCOUNTABILITIES

- | | |
|-----|--|
| 55% | 1. Legal research, highly complex case and docket preparation and presentation. |
| 25% | 2. Communications with attorneys, courts, general public, public defenders, victims and witnesses. |
| 20% | 3. Record keeping, including documentation of case action and disposition. |

SCOPE:

The Assistant Prosecuting Attorney IV is responsible for maintaining a complex criminal caseload consisting of primarily dangerous felonies as defined by RSMo 556.061 (2015). The attorney is responsible for filing charges and prosecuting cases when appropriate. The attorney expertly assists other APAs with their cases and assists executive staff with special projects when requested. Special projects may include leading capital litigation, writs and appeals, and complex civil litigation. Duties may also include on-call, policy work, and other assignments as determined by the Prosecuting Attorney or his/her designee. As directed the attorney seeks supervisory approval for dismissals and resolution of charges. The attorney reports to Trial Team Leader, Chief Trial Assistant, Deputy Prosecuting Attorney and Prosecuting Attorney or his/her designee. The attorney takes supervisory direction well and incorporates it. Assigned cases are charged and resolved in a prompt and timely manner. The attorney is timely for court and other appointments.

KNOWLEDGE AND SKILLS: (*Required prior to employment)

1. Extensive knowledge of office and county policies and procedures.
2. Complies with discovery rules and law.
3. Extensive knowledge of courtroom and filing procedures.
4. Extensive knowledge of Missouri Criminal Law, Constitutional law, federal and state case law, Missouri statutes, municipal codes, criminal procedures, rules of evidence, local court rules, professional ethical standards, administrative regulations, and applicable civil laws, rules, and procedures.
5. Extensive knowledge of Missouri Approved Charges - Criminal.
6. Extensive knowledge of Missouri Approved Instructions - Criminal.
7. Knowledge of Missouri Civil Law.
- *8. Extensive knowledge of Mo. S.Ct. Rule 4 and other standards of professional and ethical behavior.
- *9. Highly skilled in legal research.
- *10. Expertly skilled in oral and/or written legal advocacy.
- *11. Expertly skilled in motion and trial practice and technique.
- *12. Expertly skilled in the preparation of complex legal documents, legal briefs and correspondence.
- *13. Highly skilled in analyzing very complex case issues, including clarifying complex factual and legal issues, and resolving conflicting information.

14. Consistently and timely fulfills administrative requirements, including filling out leave slips, time reporting (if required), and attending mandatory training and meetings.

HUMAN RELATIONS:

1. Carries own caseload and serves as an expert resource, mentor and collaborator for other attorneys.
2. Assists executive staff with special projects when requested.
3. Promotes positive and collaborative professional working relationships internally and with agency partners including law enforcement, judiciary, members of the defense bar, victims of crime, community based organizations, and other colleagues.
4. Communicates effectively with same, including promptly returning email and voicemail messages.

ILLUSTRATIVE TASKS: (This is not an inclusive list; other duties/tasks may be assigned)

1. Responsible for reviewing and filing criminal charges, reviewing complex cases for presentation to grand jury, trying very complex cases before judges and petit jurors. Maintains a complex criminal caseload consisting of primarily dangerous felonies as defined by RSMo 556.061 (2015).
2. Communicates in an appropriate and timely manner with attorneys, courts, general public, public defenders, victims and witnesses.
3. Responsible for working under time constraints and exacting professional and legal standards.
4. Responsible for researching, case preparation, and trial presentation; prepare criminal cases for presentation to the court through review of evidence, persuasive legal argument, effective motions practice, effective legal research and successfully interviewing witnesses and victims.
5. Responsible for record keeping, including documentation of case action and disposition.
6. Responsible for properly securing and handling of confidential information being disseminated to and from the Office of the Prosecuting Attorney.
7. Demonstrates tact, diplomacy, patience and compassion with those contacted in the course of work.
8. Promotes positive and collaborative professional working relationships internally and with agency partners including law enforcement, judiciary, members of the defense bar, victims of crime, community based organizations, other colleagues, et al.
9. Prepares clear, concise, and comprehensive reports, briefs, opinions, petitions, motions, records, correspondence, and other legal and written materials.
10. Establishes and maintains harmonious working relationships with those contacted in the course of work; demonstrating tact, diplomacy, patience, and compassion.
11. Serves as a learned, versatile resource for the office including by providing mentoring and case assistance to attorneys.

ENVIRONMENTAL DEMANDS:

Work is performed predominantly in an office setting, but may also require attending crime scenes, meeting with victims and witnesses, and attending meetings in the community.

MINIMUM QUALIFICATIONS:

Must have a Juris Doctorate. Must be a member in good standing with the Missouri Bar. Must have at least five (5) years' experience as an Assistant Prosecuting Attorney and/or equivalent. Must have a documented history of superior trial experience in complex litigation. Must submit to/pass pre-employment background and drug screen. Also refer to the asterisks (*) in the KNOWLEDGE AND SKILLS section of this job description.